

# EXHIBIT A

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1 **COMP**

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17 **DISTRICT COURT**

18 **CLARK COUNTY, NEVADA**

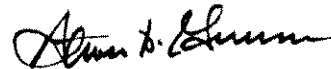
19 JEFFREY BENKO, a Nevada resident;  
20 CAMILO MARTINEZ, a Nevada resident;  
21 ANA MARTINEZ, a Nevada resident; FRANK  
22 SCINTA, a Nevada resident; JACQUELINE  
23 SCINTA, a Nevada resident; SUSAN  
24 HJORTH, a Nevada resident; RAYMOND  
25 SANSOTA, a Ohio resident; FRANCINE  
26 SANSOTA, a Ohio resident;  
27 SANDRA KUHN, a Nevada resident; JESUS  
28 GOMEZ, a Nevada resident; SILVIA  
GOMEZ, a Nevada resident; DONNA  
HERRERA, a Nevada resident;  
ANTOINETTE GILL, a Nevada resident;  
JESSE HENNIGAN, a Nevada resident; KIM  
MOORE, a Nevada resident; THOMAS  
MOORE, a Nevada resident;

Plaintiffs,

v.

QUALITY LOAN SERVICE CORPORATION,  
a California Corporation; APPLETON  
PROPERTIES, LLC, a Nevada Limited  
Liability Company; MTC FINANCIAL, INC.

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CASE NO: A-11-649857-C

DEPT NO.: XXIX

**COMPLAINT FOR DAMAGES**

**CLASS ACTION**

**ARBITRATION EXEMPTION CLAIMED:**  
**Pursuant to NAR 3(A)-**  
**Action for Damages in Excess of**  
**\$50,000**

**Jury Trial Demanded**

1 dba TRUSTEE CORPS, a California  
2 Corporation; MERIDIAN FORECLOSURE  
3 SERVICE, a California and Nevada  
4 Corporation dba MTDS, Inc., dba MERIDIAN  
5 TRUST DEED SERVICE; NATIONAL  
6 DEFAULT SERVICING CORPORATION, a  
7 Arizona Corporation; CALIFORNIA  
8 RECONVEYANCE COMPANY, a California  
9 Corporation; and DOES 1 through 100,  
10 inclusive,

11 Defendants.

12 I.

13 PARTIES

14 1. Plaintiff JEFFREY BENKO is now, and/or was at all relevant times herein, a  
15 resident of the State of Nevada and, while residing in Nevada, was the subject of illegal  
16 debt collection activities and communications from and by defendant QUALITY LOAN  
17 SERVICE CORPORATION.

18 2. Plaintiffs CAMILO MARTINEZ and ANA MARTINEZ are now, and/or were at  
19 all relevant times herein, residents of the State of Nevada and, while residing in Nevada,  
20 were the subject of illegal debt collection activities and communications from and by  
21 defendant QUALITY LOAN SERVICE CORPORATION.

22 3. Plaintiffs FRANK SCINTA and JACQUELINE SCINTA are now, and/or were  
23 at all relevant times herein, residents of the State of Nevada and, while residing in  
24 Nevada, were the subject of illegal debt collection activities and communications from and  
25 by defendants QUALITY LOAN SERVICE CORPORATION and MERIDIAN  
26 FORECLOSURE SERVICE dba MTDS, INC. dba MERIDIAN TRUST DEED SERVICE.

27 4. Plaintiff SUSAN HJORTH is now, and/or was at all relevant times herein, a  
28 resident of the State of Nevada and, while residing in Nevada, was the subject of illegal  
debt collection activities and communications from and by defendant QUALITY LOAN  
SERVICE CORPORATION.

5. Plaintiffs RAYMOND SANSOTA and FRANCINE SANSOTA are now

1 residents of the State of Ohio, and were at all relevant times herein, residents of the State  
2 of Nevada and, while residing in Nevada, were the subject of illegal debt collection  
3 activities and communications from and by defendant MTC FINANCIAL, INC., DBA  
4 TRUSTEE CORPS. and APPLETON PROPERTIES, who was a beneficiary of those  
5 illegal activities in that she took possession and title to the Sansota's home.

6 6. Plaintiff SANDRA KUHN is now, and/or was at all relevant times herein, a  
7 resident of the State of Nevada and, while residing in Nevada, was the subject of illegal  
8 debt collection activities and communications from and by defendant MERIDIAN  
9 FORECLOSURE SERVICE dba MTDS, INC. dba MERIDIAN TRUST DEED SERVICE.

10 7. Plaintiffs JESUS GOMEZ and SILVIA GOMEZ are now, and/or were at all  
11 relevant times herein, residents of the State of Nevada and, while residing in Nevada,  
12 were the subject of illegal debt collection activities and communications from and by  
13 defendant MERIDIAN FORECLOSURE SERVICE dba MTDS, INC. dba MERIDIAN  
14 TRUST DEED SERVICE.

15 8. Plaintiff DONNA HERRERA is now, and/or was at all relevant times herein, a  
16 resident of the State of Nevada and, while residing in Nevada, was the subject of illegal  
17 debt collection activities and communications from and by defendant MERIDIAN  
18 FORECLOSURE SERVICE dba MTDS, INC. dba MERIDIAN TRUST DEED SERVICE.

19 9. Plaintiff ANTOINETTE GILL is now, and/or was at all relevant times herein, a  
20 resident of the State of Nevada and, while residing in Nevada, was the subject of illegal  
21 debt collection activities and communications from and by defendant MERIDIAN  
22 FORECLOSURE SERVICE dba MTDS, INC. dba MERIDIAN TRUST DEED SERVICE.

23 10. Plaintiff JESSE HENNIGAN is now, and/or was at all relevant times herein, a  
24 resident of the State of Nevada and, while residing in Nevada, was the subject of illegal  
25 debt collection activities and communications from and by defendant NATIONAL  
26 DEFAULT SERVICING CORPORATION.

27 11. Plaintiffs KIM MOORE and THOMAS MOORE are now, and/or were at all  
28 relevant times herein, residents of the State of Nevada and, while residing in Nevada,

1 were the subject of illegal debt collection activities and communications from and by  
2 defendant CALIFORNIA RECONVEYANCE COMPANY.

3 12. Defendant QUALITY LOAN SERVICE CORPORATION ("QLS") is a foreign  
4 corporation, believed to be a California corporation, located in California, and doing  
5 business in the State of Nevada. At all relevant times, prior to 2011, QLS did not hold a  
6 Nevada license to engage in debt collection activities in the State of Nevada.

7 13. Defendant MTC FINANCIAL, INC. ("MTC") is a foreign corporation, believed  
8 to be a California corporation located in the State of California, and doing business in the  
9 State of Nevada under the assumed name of TRUSTEE CORPS. At all relevant times  
10 MTC did not hold a Nevada license to engage in debt collection activities in the State.

11 14. Defendant APPLETON PROPERTIES is a Domestic Limited-Liability  
12 Company, incorporated in Nevada and/or doing business in Nevada. The managing  
13 members, Patrick Ziade and Philippe Ziade, are believed to reside in Las Vegas, Nevada  
14 at 9746 Valmeyer Avenue, Las Vegas, Nevada 89148.

15 15. MERDIAN FORECLOSURE SERVICES ("Meridian") dba MTDS, INC., dba  
16 MERIDIAN TRUST DEED SERVICE, is both a foreign and Nevada corporation, believed  
17 to be incorporated in California, but doing business, located and holding its headquarters  
18 in the State of Nevada at 8485 W. Sunset Road, Suite 205, Las Vegas, Nevada 89113. At  
19 all relevant times, Meridian did not hold a Nevada license to engage in debt collections  
20 activities in the State of Nevada.

21 16. NATIONAL DEFAULT SERVICING CORPORATION ("NDSC") is a foreign  
22 corporation, believed to be a Arizona corporation located in Arizona, and doing business in  
23 the State of Nevada. At all relevant times NTDS did not hold a Nevada license to engage  
24 in debt collections activities in the State of Nevada.

25 17. CALIFORNIA RECONVEYANCE COMPANY ("CALIFORNIA  
26 RECONVEYANCE") is a foreign corporation, believed to be a California corporation  
27 located in the State of California, and doing extensive business in the State of Nevada. At  
28 all relevant times CALIFORNIA RECONVEYANCE did not hold a Nevada license to

1 engage in debt collection activities in the State.

2 **II.**

3 18. No federal jurisdiction exists in this matter. None of Defendants are  
4 nationally chartered banks. Named Defendants maintain the requisite residency that  
5 defeats diversity jurisdiction. Plaintiff states that because no federal jurisdiction governs  
6 the parties and the subject lawsuit, Defendants are warned that any efforts of removal will  
7 be viewed in bad faith and substantial sanctions will be sought.

8 **III.**

9 **CLASS ACTION ALLEGATIONS**

10 **(Against ALL DEFENDANTS)**

11 19. Plaintiffs' claims are authorized in whole or in part under N.R.S. 41.600,  
12 and/or other Nevada statutes and common law.

13 20. Class Definition: This action is brought on behalf of the following class of  
14 persons:

15 a. All Nevada residents who were subject to debt collection activity by  
16 defendants while defendants did not hold a Nevada license to engage in debt collection  
17 activities in Nevada.

18 21. Sub-Class Definition: The sub-class is defined as follows:

19 b. Sub-Class 1: All Nevada residents who were subject to such illegal  
20 debt collection activities by the Defendants at a time when they were age 60 or older.

21 22. Numerosity: The class is composed of thousands of Nevada residents,  
22 mostly in Clark County. The joinder of these class members in one action is impracticable.  
23 The disposition of their claims in a single class action will provide substantial benefits to  
24 both the parties and the Court. The names and addresses of class members are readily  
25 obtainable from the defendants, so that the class can be ascertained.

26 23. Predominance of Common Questions: There is well-defined community of  
27 interest in the questions of law and fact that affect the class members to be represented  
28 here. The questions of law and fact common to the class members sufficiently



1 predominate over questions which may affect individual class members, and, in any event  
2 the class device is the best means, if not the only practical means, for class members to  
3 achieve relief for the multiple years of consistent illegal debt collection activities by  
4 defendants. Common questions, include, but are not limited to the following:

5 c. Whether as a uniform and common practice, applicable to class  
6 members, Defendant knowingly engaged in systemic, illegal debt collection activities.

7 d. Whether defendants engaged in debt collection activities against  
8 Plaintiffs in Nevada at a time when defendants did not hold a license to do so in the State  
9 of Nevada pursuant to N.R.S. 649.075.

10 e. Whether defendants' unlicensed debt collection activities against  
11 Plaintiffs constituted a violation of Nevada's Deceptive Trade Practices Act, including  
12 N.R.S. §§ 598.0923(1).

13 f. Whether Defendants obtained revenue and/or other illegal gains from  
14 pursuing illegal debt collection activities against Plaintiffs in the State of Nevada.

15 g. Whether Defendants were unjustly enriched with revenues and/or  
16 other illegal gains obtained from pursuing illegal debt collection activities against Plaintiffs  
17 in the State of Nevada.

18 24. Fair Representation: Plaintiffs will fairly and adequately represent and protect  
19 the interest of the class. Plaintiffs have no true or meaningful interest that is antagonistic  
20 to the interests of other members of the class, and plaintiffs have retained counsel who are  
21 competent and sufficiently experienced in the prosecution of class action litigation.

22 25. Typicality: Plaintiffs' claims are typical of the claims held by members of  
23 plaintiffs' class. Plaintiffs and members of the class have all suffered similar harm as a  
24 result of Defendants' wrongful conduct. This class action will provide substantial benefits  
25 to both the class and the public, since, absent this action, Defendants will likely escape  
26 any meaningful accountability for their pattern of violations of law, i.e., violations occurring  
27 in a pervasive and repetitive manner over a period of years.  
28

(JEFFREY BENKO, CAMILO MARTINEZ, ANA MARTINEZ, FRANK SCINTA, JACQUELINE SCINTA, and SUSAN HJORTH Against QLS and Does 1 through 100; RAYMOND SANSOTA and FRANCINE SANSOTA Against MTC FINANCIAL, INC. and



1 Does 1 through 100; SANDRA KUHN, JESUS GOMEZ, SILVIA GOMEZ, DONNA  
2 HERRERA, FRANK SCINTA, JACQUELINE SCINTA, and ANTOINETTE GILL, Against  
3 MERIDIAN FORECLOSURE SERVICE and Does 1 through 100; JESSE HENNIGAN,  
4 Against NATIONAL DEFAULT SERVICING CORPORATION and Does 1 through 100;  
5 KIM MOORE, and THOMAS MOORE, Against CALIFORNIA RECONVEYANCE  
6 COMPANY and Does 1 through 100.)

7 27. Plaintiffs refer to and incorporate herein by reference each and every  
8 allegation contained in paragraphs 1 through 22, as though fully set forth herein.

9 28. At all relevant times, Plaintiffs were residents of Nevada.

10 29. While Plaintiffs were residents of Nevada and while defendants QLS, MTC,  
11 MERIDIAN, NDSC, and CALIFORNIA RECONVEYANCE did not hold a Nevada license to  
12 pursue debt collection activities, Defendants nevertheless pursued various debt collection  
13 activities against Plaintiffs, including such items as debt-related notices, demands,  
14 collection communications and/or foreclosure sale and processes, against Plaintiffs.  
15 Defendants thus caused Plaintiffs' damages and/or received illicit revenue and/or profits.

16 30. Defendants conduct violated N.R.S. 649.075, and therefore constituted a  
17 deceptive trade practice under N.R.S. 598.0923(1).

18 V.

19 SECOND CAUSE OF ACTION

20 UNJUST ENRICHMENT

21 (JEFFREY BENKO, CAMILO MARTINEZ, ANA MARTINEZ, FRANK SCINTA,  
22 JACQUELINE SCINTA, and SUSAN HJORTH Against QLS and Does 1 through 100;  
23 RAYMOND SANSOTA and FRANCINE SANSOTA Against MTC FINANCIAL, INC. and  
24 Does 1 through 100; SANDRA KUHN, JESUS GOMEZ, SILVIA GOMEZ, DONNA  
25 HERRERA, FRANK SCINTA, JACQUELINE SCINTA, and ANTOINETTE GILL Against  
26 MERIDIAN FORECLOSURE SERVICE and Does 1 through 100; JESSE HENNIGAN,  
27 Against NATIONAL DEFAULT SERVICING CORPORATION and Does 1 through 100;  
28 KIM MOORE, and THOMAS MOORE Against CALIFORNIA RECONVEYANCE

**COMPANY and Does 1 through 100.)**

31. Plaintiffs refer to and incorporate herein by reference each and every allegation contained in paragraphs 1 through 22, as though fully set forth herein.

32. While Plaintiffs were residents of Nevada and while defendants QLS, MTC, MERIDIAN, NDSC, and CALIFORNIA RECONVEYANCE did not hold a Nevada license to pursue debt collection activities, and nevertheless pursued various debt collection activities against Plaintiffs, including such items as debt-related notices, demands, collection communications and/or foreclosure sale and processes, against Plaintiffs.

33. The use of the proceeds by Defendants constitutes an unjust enrichment of Defendants at Plaintiffs' expense.

34. The reasonable value of Defendants' unjust enrichment is an amount of approximately \$500 to \$1,500, or more, for each class member, as to be determined by discovery and subject to proof at trial.

**VI.**

**THIRD CAUSE OF ACTION**

**TRESPASS**

**(JEFFREY BENKO, CAMILO MARTINEZ, ANA MARTINEZ, FRANK SCINTA, JACQUELINE SCINTA, and SUSAN HJORTH Against QLS and Does 1 through 100; RAYMOND SANSOTA and FRANCINE SANSOTA Against MTC FINANCIAL, INC., and Does 1 through 100; SANDRA KUHN, JESUS GOMEZ, SILVIA GOMEZ, DONNA HERRERA, FRANK SCINTA, JACQUELINE SCINTA, and ANTOINETTE GILL Against MERIDIAN FORECLOSURE SERVICE and Does 1 through 100; JESSE HENNIGAN, Against NATIONAL DEFAULT SERVICING CORPORATION and Does 1 through 100; KIM MOORE, and THOMAS MOORE Against CALIFORNIA RECONVEYANCE COMPANY and Does 1 through 100.)**

35. Plaintiffs refer to and incorporate herein by reference each and every allegation contained in paragraphs 1 through 22, as though fully set forth herein.

36. While Plaintiffs were residents of Nevada and while Plaintiffs were in legal

1 possession of and entitled to possession of their homes, defendants QLS, MTC, NTDS,  
2 MERIDIAN, and CALIFORNIA RECONVEYANCE wrongfully and intentionally trespassed  
3 and entered onto the property of Plaintiffs through the foreclosure sale and processes, and  
4 wrongfully took possession of Plaintiffs' properties.

5 37. Defendants' wrongful possession of Plaintiffs' property caused Plaintiffs'  
6 damages.

7 **VII.**

8 **FOURTH CAUSE OF ACTION**

9 **QUIET TITLE**

10 **(ANTOINETTE GILL Against APPLETON PROPERTIES and Does 1 through 100.)**

11 38. Plaintiff refers to and incorporate herein by reference each and every  
12 allegation contained in paragraphs 1 through 22, as though fully set forth herein.

13 39. Plaintiff GILL is seeking to quiet title against all adverse claims of all  
14 Defendants, including the claims of the Defendant APPLETON PROPERTIES.

15 40. Plaintiff GILL is informed and believes and on that basis alleges that  
16 Defendants' claim on interest adverse to Plaintiff's title in the subject real property.

17 41. Plaintiff GILL's title is superior to the title claims of all other persons with an  
18 interest in the property.

19 42. Plaintiff GILL seeks a determination of her title in this action against adverse  
20 claims as of the date of the filing of this complaint.

21 **VIII.**

22 **FIFTH CAUSE OF ACTION**

23 **ELDER ABUSE**

24 **(SANDRA KUHN and ANTOINETTE GILL Against MERIDIAN FORECLOSURE**  
25 **SERVICE and Does 1 through 100.)**

26 43. Plaintiffs refers to and incorporate herein by reference each and every  
27 allegation contained in paragraphs 1 through 22, as though fully set forth herein.

28 44. While Plaintiff was a resident of Nevada and while defendant MERIDIAN, did

1 not hold a Nevada license to pursue debt collection activities, and nevertheless pursued  
2 various debt collection activities against Plaintiff, including such items as debt-related  
3 notices, demands, collection communications and/or foreclosure sale and processes,  
4 against Plaintiff.

5 45. Plaintiff was subject to debt collection activities at a time when she was age  
6 60 or older.

7 IX.

8 PRAYER FOR RELIEF

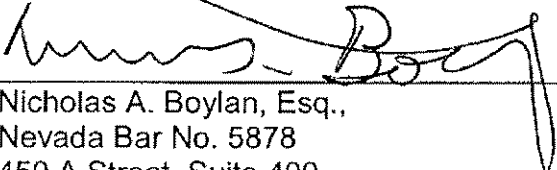
9 WHEREFORE, Plaintiffs ask the Court for the following relief:

- 10 1. For compensatory and consequential damages not less than \$10,000, with a  
11 specific amount to be determined at trial;  
12 2. For reasonable costs;  
13 3. For reasonable attorney's fees as permitted by law;  
14 4. For injunctive relief; and  
15 5. For such other and further relief as the Court may deem just and proper.

16  
17 Dated: October 12, 2011

LAW OFFICE OF NICHOLAS A. BOYLAN, A.P.C.

18  
19  
20 By:

  
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